REMARKS

Claims 1-12 and 15-18 are currently pending in the present application.

Applicants wish to extend their appreciation to Examiner Doerrler for the indication on page 4 of the Official Action that claims 4, 7-9, 16 and 18 contain allowable subject matter.

The rejection under 35 U.S.C. § 103(a) of claims 1-3, 5, 6, 10-12, 15 and 17 as being obvious over Hieserman (U.S. Patent 2,764,607) in view of Michelet (U.S. Patent 3,544,611) is respectfully traversed.

Claim 1 is directed to a process for the partial or complete separation of a mixture comprising hydrogen chloride and phosgene, wherein the process comprises: partially or completely condensing phosgene; then distilling or stripping away the hydrogen chloride from the phosgene in a column; and subsequently scrubbing the hydrogen chloride obtained from the top of the column with a process solvent to absorb the phosgene.

Unlike the claimed invention, Hieserman describes a process for separating a mixture of hydrogen chloride and phosgene comprising: passing the mixture through a condenser to obtain partially condensed phosgene and a remaining mixture comprising hydrogen chloride and uncondensed phosgene; extracting the uncondensed phosgene from the remaining mixture with an absorption solvent in an absorption column, whereby the remaining mixture is introduced into the bottom of the absorption column and the uncondensed phosgene present therein is extracted by the absorption solvent that is introduced into the top of the absorption column; and scrubbing the hydrogen chloride obtained from the top of the absorption column with a caustic scrubber to remove residual phosgene (See e.g., column 1, lines 15-18, 36-42 and 49-70, Examples 1 and 2, and claims 1-3).

Hieserman describes utilizing an absorption column (which is fundamentally different from the claimed distillation column) whereby the absorption solvent is sprayed from the top of the absorption column to extract the uncondensed phosgene rising from the bottom of the

absorption column (See e.g., column 1, lines 49-65, column 2, lines 27-38 and 59-66). Hieserman is silent as to whether the caustic scrubber is a wet scrubber, a dry scrubber or a semi-wet/dry scrubber (See e.g., column 2, line 37). Therefore, Hieserman fails to describe whether the sorbent utilized within the caustic scrubber is a solvent (as presently claimed), a solid material or a mixture thereof. As a result, Hieserman necessarily fails to describe scrubbing a hydrogen chloride product obtained from the top of a distillation column with a solvent to absorb the phosgene, as presently claimed.

Michelet merely describes utilizing a distillation column (See e.g., Fig. 1). Contrary to page 3, lines 5-12, of the Official Action, Applicants respectfully submit that Michelet fails to provide a skilled artisan with sufficient motivation and guidance to substitute the distillation column described therein for the absorption column described in Hieserman, since Michelet fails to disclose or suggest that distillation columns provide for an improved separation of uncondensed phosgene from hydrogen chloride as compared to the separation achieved with absorption columns. Hieserman actually teaches away from substituting the absorption column with a distillation column because Hieserman describes subsequently utilizing, downstream from the absorption column, a distillation column to separate phosgene from the absorption solvent, thereby indicating to a skilled artisan that the absorption column described therein is actually more effective than a distillation column for separating uncondensed phosgene from hydrogen chloride. If this were not the case, Hieserman would have utilized distillation columns for separating both uncondensed phosgene from hydrogen chloride, and phosgene from the absorption solvent. Michelet also fails to describe scrubbing a hydrogen chloride product obtained from the top of the distillation column with a solvent to absorb the phosgene contained therein, as presently claimed. Therefore, Michelet fails to compensate for the previously mentioned deficiencies of Hieserman. As a result, a skilled artisan would not arrived at the claimed invention by combining the disclosures of Hieserman and Michelet.

Withdrawal of this ground of rejection is respectfully requested.

In conclusion, Applicants submit that the present application is now in condition for allowance and notification to this effect is earnestly solicited.

Respectfully submitted,

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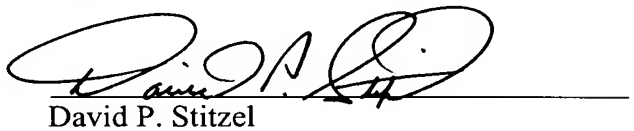

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